

Application Serial No. 09/929,031  
Amendment dated January 9, 2006  
Reply to Office Action of October 4, 2005

MESH016

### **REMARKS/ARGUMENTS**

Submitted herewith are new Powers of Attorney and a Change in Correspondence Address. It is respectfully requested that the Docket Number in this application be changed to read – MESH016.

Claims 1-40 remain pending in this application. Applicant respectfully notes the examiner's characterization that only Claims 1-33 remain pending and requests examination of the remaining Claims 34-40 occur hereafter. For purposes of this response, a response to the examination of Claims 1-33 including anything pertinent to claims 34-40 is included herein.

Applicant further notes that the "Office Action Summary" states the status as "Responsive to communication(s) filed on 26 December 2001," however, Applicant can find no record of a communication with that date. Applicant respectfully requests the Examiner provide details of this referenced communication.

In response to the office action, claims 1, 3, 19, 21, 30, and 32 have been amended. Claims 4-14, 22-29, and 33-40 remain unchanged. Claims 2, 15-18, 20, and 31 have been cancelled without prejudice or disclaimer to facilitate the prosecution of the application.

#### **Allowable Subject Matter**

Applicants acknowledge the allowability of claims 2-3 and 21-22 once amended to overcome the rejection(s) under 35 U.S.C. §112, 2<sup>nd</sup> paragraph set forth in the Office Action including all of the limitations of the base claim and any intervening claims. Applicants have appropriately amended the claims to overcome this rejection. Applicants thank the examiner for the allowance of claims 2-3 and 21-22.

More specifically, the examiner indicates the allowable subject matter in item 8, page 6 of the office action to be "*wherein when said user terminal changes its affiliation from a first said access point to a second said access point, an additional node other than said first and second access points and said other node is adapted to send data packets intended for receipt by*

Application Serial No. 09/929,031  
Amendment dated January 9, 2006  
Reply to Office Action of October 4, 2005

MESH016

*said user terminal to said second access point after having updated its respective address resolution cache based on said message while said other node continues to send data packets intended for said user terminal to said first access point which continues to send said data packets received from said other node to said user terminal without sending said data packets to said second access point."*

Applicants have thus incorporated this allowable limitation into amended independent claims 1, 19, and 30 and believe these claims along with amended dependent claims 3-14, 21-29, and 32-40 are now in allowable form. Claim 3-14, 21-29, and 32-40 contains further limitations of the now believed to be allowable amended claims 1, 19, and 30.

**Provisional Double Patenting Rejection of Claims 1-33:**

In response to the Examiner's rejection under the judicially created doctrine of double patenting over claims 1-46 of copending Application No. 09/929,032, a terminal disclaimer, in compliance with 37 CFR § 1.321(b), is filed of even date herewith to overcome the provisional double patenting rejection. Since the above mentioned application and copending application serial number 09/929,032 are commonly owned by the same assignee of the application, it is believed that the terminal disclaimer overcomes the provisional double patenting rejection.

**Rejection of Claims 1-14 and 19-29 under 35 U.S.C. § 112, second paragraph as lacking antecedent basis in the claim:**

Claims 1, 19, and 30 were amended to remedy the rejection of claims 1-14 and 19-29 under 35 U.S.C. § 112, second paragraph, as lacking antecedent basis in the claims. Applicant notes that the claims have been amended to overcome this rejection, but the scope of the claim has not been narrowed as a result.

**Rejection of Claims 1,4,10,13,15,17,19,20,27,30-33 under 35 USC 102(e) as being anticipated by LaPorta (US 6,434,134 B1):**

The rejection of Claims 15, 17, 20, and 31 under 35 USC 102(e) as being anticipated by LaPorta (US 6,434,134 B1) is moot in view of the cancellation of claims 15, 17,20, and 31.

The rejection of Claims 1,4,10,13,19, 27,30, 32-33 under 35 USC 102(e) as being anticipated by LaPorta (US 6,434,134 B1) is moot in view of the amendment of these claims to include allowable subject matter as per the examiner's reasons for allowable in the office action dated October 4, 2005.

Application Serial No. 09/929,031  
Amendment dated January 9, 2006  
Reply to Office Action of October 4, 2005

MESH016

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

The Applicants believe that the subject application, as amended, is in condition for allowance. Such action is earnestly solicited by the Applicants.

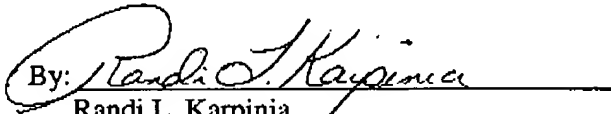
In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicant's attorney or agent at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

The Commissioner is hereby authorized to charge Deposit Account 502117, Motorola, Inc, with any fees which may be required in the prosecution of this application.

Respectfully submitted,

January 9, 2006

Motorola, Inc.  
8000 West Sunrise Boulevard  
Law Department - MD1610  
Plantation, Florida 33322  
Customer Number: 24273

By:   
Randi L. Karpinia  
Attorney of Record  
Reg. No.: 46,148  
Tel: 954-723-6449  
Fax: 954-723-3871  
E-Mail: Randi.Karpinia@Motorola.com